

### Remarks

Claims 157-159 and 161 are pending and stand rejected under 35 U.S.C. §§102 and 103 as anticipated by or obvious from the teachings of an earlier patent to Ogawa. Claim 160 has been cancelled and the substance of that claim has been amended into independent claim 157 to clarify the distinction over the prior art.

Claim 157 is directed to a system for providing assurance of quality of subjects' medical images which in part requires a computer program for performing quality checks "on a sample of the subjects' medical images." Such an arrangement is not taught or suggested by the prior art.

For example, Ogawa discloses a networked medical diagnosis apparatus concerned with image quality. But Ogawa does not teach or suggest performing quality assurance checks on a sample of the subjects' medical images as required by claim 157. Instead, Ogawa discloses quality checks using predetermined test patterns. This is explicitly discussed for example, at col. 4, lines 40-52:

For example, at the time of device installation, a predetermined test pattern is displayed on a display device (12, 14, 16); then the displayed test pattern is taken with an appropriate an image pickup device to obtain image data; thereafter the thus obtained image data is stored. After a certain period of time has passed, the above-described test pattern is displayed again to obtain the image data in the same manner as above; then the newly obtained image data and the image data preliminarily stored are compared with each other. A shift or the like between them is computed to obtain a change of the image quantitatively thereby checking the image quality.

Nothing within Ogawa teaches or suggests using anything other than a special test pattern to calibrate and provide quality assurance checks for the medical image display devices, much less the specific approach required by claim 157 of performing quality assurance checks on a sample

of the subjects' medical images. Thus, for at least the foregoing reasons, Ogawa does not teach or suggest a system for providing assurance of quality of subjects' medical images as required by claim 157. Claims 158, 159 and 161 depend from claim 157 and are allowable for the same reason.

### **Conclusion**

It is submitted that all the pending claims are now in a condition for allowance. Reconsideration of the application and issuance of a notice of allowance are respectfully requested. It is believed that a one month extension of time is required for this matter. Applicant hereby petitions for same and requests that any extension or other fee required for timely consideration of this application be charged to Deposit Account No. 19-4972. The Examiner is requested to telephone the undersigned if any matters remain outstanding so that they may be resolved expeditiously.

Respectfully submitted,

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